

# City of Atlantic City LAND USE APPLICATION

**City of Atlantic City: (Check where applicable)**

**AC Planning Division Jurisdiction**  
 City of Atlantic City Planning Board  
 1301 Bacharach Boulevard  
 City Hall-Suite 508  
 Atlantic City, NJ 08401  
 609-347-5404

**CRDA: (Check where applicable)**

**NJ CRDA LURED Jurisdiction**  
 Casino Reinvestment Development Authority  
 15 S Pennsylvania Avenue  
 Atlantic City, NJ 08401  
 609-347-0500

**To be completed by staff only.**

Date Filed \_\_\_\_\_ Application No. \_\_\_\_\_  
 Application Fees: \_\_\_\_\_ Escrow Deposit \_\_\_\_\_

Scheduled for:  
 Review for Completeness \_\_\_\_\_ Hearing: \_\_\_\_\_

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**1. SUBJECT PROPERTY**

Location: 10 S. New York Avenue

Tax Map	Page <u>28</u>	Block <u>151</u>	Lot(s) <u>15</u>
	Page _____	Block _____	Lot(s) _____
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage 60 Depth 168 Total Area 0.23 acres

Zoning District RC

**2. APPLICANT**

Name Atlantic City Investments LLC f/k/a Longacre New Jersey Properties, LLC

Email c/o ntalvacchia@cooperlevenson.com

Address 1621 McKean Street, Philadelphia, PA 19145

Telephone Number 609-572-7544

Applicant is a: Corporation  ~~Partnership~~  Limited Liability Company Individual

**3. If Owner is other than the applicant, provide the following information on the Owner(s):**

Owner's Name Same as Applicant

Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

#### 4. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality]Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders") [owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. *a.* No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. *b.* Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection *a.* of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of \$1,000 to \$10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name John Longacre Address 1621 Mckean Street, Philadelphia, PA Interest 100%  
 Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_  
 Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_  
 Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_  
 Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

**5. PROPERTY INFORMATION:**

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:  
 Yes [attach copies] \_\_\_\_\_ No X Proposed \_\_\_\_\_  
 Present use of the premises: Vacant commercial space

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

**6. Applicant's Attorney** Nicholas F. Talvacchia, Esquire  
 Email ntalvacchia@cooperlevenson.com  
 Address 1125 Atlantic Ave., 3rd Floor, Atlantic City, New Jersey 08401  
 Telephone Number 609-572-7544  
 FAX Number 609-572-7545

**7. Applicant's Engineer** Jason T. Sciuolo, PE, PP, CFM  
 Email jsciullo@sciulloengineering.com  
 Address 17 South Gordon's Alley, Suite 3, Atlantic City, New Jersey 08401  
 Telephone Number (609) 300-5171  
 FAX Number \_\_\_\_\_

**8. Applicant's Planning Consultant** Same as Engineer  
 Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 FAX Number \_\_\_\_\_

**9. Applicant's Traffic Engineer** N/A  
 Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 FAX Number \_\_\_\_\_

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name DRZAL Architect  
Field of Expertise Architect  
Email paul.drzal@gmail.com  
Address 1011 West Avenue, Springfield, PA 19064  
Telephone Number 267-243-0489  
FAX Number \_\_\_\_\_

**11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

SUBDIVISION:

\_\_\_\_\_ Administrative Review of Minor Subdivision Plan  
\_\_\_\_\_ Administrative Review of Major Subdivision Plan  
\_\_\_\_\_ Minor Subdivision Approval  
\_\_\_\_\_ Major Subdivision Approval [Preliminary]  
\_\_\_\_\_ Major Subdivision Approval [Final]  
Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
(including remainder lot) (if applicable)

SITE PLAN:

\_\_\_\_\_ Administrative Review of Minor Site Plan  
\_\_\_\_\_ Administrative Review of Major Site Plan  
\_\_\_\_\_ Minor Site Plan Approval  
\_\_\_\_\_ Major Preliminary Site Plan Approval [Phases (if applicable) \_\_\_\_ ]  
\_\_\_\_\_ Major Final Site Plan Approval [Phases (if applicable) \_\_\_\_ ]  
\_\_\_\_\_ Amendment or Revision to an Approved Site Plan  
Area to be disturbed (square feet) \_\_\_\_\_  
Total number of proposed dwelling units \_\_\_\_\_  
\_\_\_\_\_ Request for Waiver From Site Plan Review and Approval  
Reason for request: \_\_\_\_\_

MISC:

\_\_\_\_\_ Administrative Review  
\_\_\_\_\_ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]  
\_\_\_\_\_ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]  
\_\_\_\_\_ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]  
\_\_\_\_\_ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]  
\_\_\_\_\_ Variance Relief (use) [N.J.S. 40:55D-70d]  
\_\_\_\_\_ Conditional Use Approval [N.J.S. 40:55D-67]  
\_\_\_\_\_ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]  
\_\_\_\_\_ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested and justification for said request:** [attach additional pages as needed] See Project Narrative

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13. **Waivers Requested** of Development Standards and/or Submission and justification for request.  
Requirements: [attach additional pages as needed] See Project Narrative

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14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.  
**The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.**

15. **Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:**  
[attach pages as needed] See Project Narrative

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16. Is a public water line available? Yes
17. Is public sanitary sewer available? Yes
18. Does the application propose a well and septic system? No
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A
20. Are any off-tract improvements required or proposed? N/A
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees? As required by the MLUL

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	X	_____	TBD
Atlantic County Health Department	X	_____	TBD
Atlantic County Planning Board	_____	X	_____
Atlantic County Soil Conservation Dist.	_____	X	_____
NJ Department of Environmental Protection	_____	X	_____
Sewer Extension Permit	_____	X	_____
Sanitary Sewer Connection Permit	_____	X	_____
Stream Encroachment Permit	_____	X	_____
Waterfront Development Permit	_____	X	_____
Wetlands Permit	_____	X	_____
Tidal Wetlands Permit	_____	X	_____
Potable Water Construction Permit	_____	X	_____
Other	_____	X	_____
NJ Department of Transportation	_____	X	_____
Public Service Electric & Gas Company	X	_____	TBD

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. See attached

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
_____	_____
_____	_____
_____	_____

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional Reports Requested \_\_\_\_\_

Attorney All

Engineer All

**CERTIFICATIONS**

27. I Nicholas F. Talvacchia, Esquire certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

30<sup>th</sup> day of March, 2021

  
NOTARY PUBLIC SINGER  
A Notary Public of New Jersey  
My Commission Expires 06/10/2023

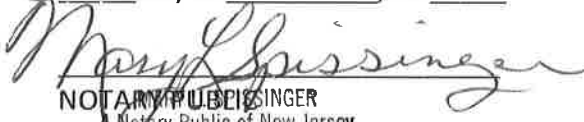
  
SIGNATURE OF APPLICANT  
Nicholas F. Talvacchia, Attorney for Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

30<sup>th</sup> day of March, 2021

  
NOTARY PUBLIC SINGER  
A Notary Public of New Jersey  
My Commission Expires 06/10/2023

  
SIGNATURE OF OWNER  
Nicholas F. Talvacchia, Attorney for Owner

29. I understand that the sum of \$ 2200 has been deposited in an escrow account (Builder's Trust Account). In accordance with Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

MARCH 30, 2021  
Date

  
SIGNATURE OF APPLICANT  
Nicholas F. Talvacchia, Attorney for Applicant

PROJECT NARRATIVE  
BLOCK 151, LOT 15

Atlantic City Investments LLC

Atlantic City Investments LLC f/k/a Longacre New Jersey Properties, LLC (“Applicant”) is the owner of Block 151, Lot 15 a/k/a 10 South New York Avenue, the historic Morris Guards Armory building. This 29,047 square foot historic building was constructed in 1901 as a home for the Morris Guards, an independent military club based in Atlantic City, New Jersey. The Applicant considers the Morris Guards Armory building to be an exceptional opportunity for redevelopment and will transform the building into an urban feel, mixed-use apartment building unlike anything that currently exists in Atlantic City.

The proposed mixed-use development, named The Armory, will include thirty-one (31) residential dwellings consisting of studio apartments, one bedroom and two bedroom apartments as well as continuing the existing use of the first floor as commercial space. The property is located within the RC zone which permits mixed use properties. Applicant proposes the renovation in two phases. Phase 1 will include the renovation of the up to 10,000 sf of the 1<sup>st</sup> and 2<sup>nd</sup> floors including up to 2,975 sf of commercial space and 8 residential dwellings (“Phase1”). Phase 2 will be the renovation of the upper floors into residential units (“Phase 2”).

Applicant requests administrative minor site plan approval for Phase 1. Applicant does not require any variances for Phase 1 of the project. The required parking for the commercial space is 5.9 parking spaces and 14.6 spaces for the residential parking for a total parking requirement of 21 spaces.

The current building, however, has an existing parking deficiency of 125.24 spaces. The parking deficiency is a credit against the new use parking requirement for Phase 1. Since the Phase 1 requirement of 21 spaces is less than the grandfathered shortfall of 125 spaces, a parking variance is not required. See Sciallo Compliance Analysis for parking analysis.

It is respectfully submitted that approval of this site plan will benefit the City by permitting the renovation of an older building into an mixed use housing project in the center of Atlantic City and adjacent to the Orange Loop.